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A MASSACHUSETTS ACT MAKING THE RECORD OF INSTRUMENTS AFFECTING THE TITLE TO LAND CONCLUSIVE EVIDENCE OF DELIVERY.—One of the provisions in the Acts and Resolves of Massachusetts for 1892 is a long step in the right direction. The Act reads: "The record of a deed, lease, power of attorney, or other instrument duly acknowledged or proved in the manner provided by law, and purporting to affect the title to land, shall be conclusive evidence of the delivery of such instrument, in favor of purchasers for value without notice, claiming thereunder." It would seem in the line of reason and convenience for the Legislature to go further, leave out the restriction to purchasers for value, and so reverse the law as laid down in the leading Massachusetts case of *Maynard v. Maynard*, 10 Mass. 456. A man should be prevented from denying that a document which he has recorded is a deed, even where it is a pure gift, as in *Maynard v. Maynard*. If it is a mere private memorandum, it has no business on the public records. Still, much the most important thing is to protect innocent purchasers; and the new Massachusetts statute sets a good example to the other States, in most of which the registration of a deed is merely *prima facie* evidence, and the presumption may be rebutted even as against purchasers for value without notice.

BUILDERS' CONTRACTS WITH ARCHITECTS' CERTIFICATE; THE TRUE GROUND OF THEIR DECISION.—The rule so readily accepted by the Washington Supreme Court, *Craig et al. v. Geddis*, 30 Pac. Rep. 396, in regard to builders' contracts and the necessity of producing the architects' certificate required by the contract, had better be put on the true ground,—hardship. The defendant's promise to pay was conditioned expressly on a certificate being produced from the architect that the work had been done satisfactorily. The plaintiff attempts to recover without so producing. And the court ruled, in substance, that where there has been substantial compliance with all the terms of the contract, and nothing remains to be done which is practicable and reasonable to require, there is no need of producing the certificate.